IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A method, comprising:

scanning available channels;

measuring a received signal power level for the channels scanned in said scanning;

comparing the measured received signal power level to a threshold value to provide a difference;

if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; [[and]]

determining a larger gap between available channels; and

selecting a channel ~~from a channel indicated as available~~ within the larger gap.

2. (Canceled).

3. (Currently Amended) A method as claimed in claim 1, ~~further comprising determining a larger gap between available channels,~~ wherein said selecting includes selecting a channel at a midpoint within the larger gap.

4. (Currently Amended) A method as claimed in claim 1, further comprising: ~~determining a larger gap between available channels,~~ in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

5. (Currently Amended) A method as claimed in claim 1, further comprising: ~~determining a larger gap between available channels,~~ in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.

6. (Original) A method as claimed in claim 1, further comprising determining whether a collision is detected at the channel selected in said selecting, and, if a collision is detected, selecting a new channel by executing the method again at said scanning.

7. (Currently Amended) An article comprising a storage medium having stored thereon instructions that, when executed by a computing platform, result in dynamic frequency selection in a wireless local area network by:

scanning available channels;

measuring a received signal power level for the channels scanned in said scanning;

comparing the measured received signal power level to a threshold value to provide a difference;

if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; [[and]]

determining a larger gap between available channels; and

selecting a channel ~~from a channel indicated as available~~ within the larger gap.

8. (Canceled).

9. (Currently Amended) An article as claimed in claim 7, wherein ~~the instructions when executed further result in dynamic frequency selection in a wireless local area network by determining a larger gap between available channels, wherein~~ said selecting includes selecting a channel at a midpoint within the larger gap.

10. (Currently Amended) An article as claimed in claim 7, wherein the instructions when executed further result in dynamic frequency selection in a wireless local area network by ~~determining a larger gap between available channels~~, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

11. (Currently Amended) An article as claimed in claim 7, wherein the instructions when executed further result in dynamic frequency selection in a wireless local area network by ~~determining a larger gap between available channels~~, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.

12. (Original) An article as claimed in claim 7, wherein the instructions when executed further result in dynamic frequency selection in a wireless local area network by determining whether a collision is detected at the channel selected in said selecting, and, if a collision is detected, selecting a new channel by executing the method again at said scanning.

13. (Original) An apparatus, comprising:

a transceiver: and

a baseband processor to couple to said transceiver; wherein said baseband processor is capable of dynamically selecting a frequency on which to communicate via said transceiver on a wireless local area network by:

scanning available channels;

measuring a received signal power level for the channels scanned in said scanning;

comparing the measured received signal power level to a threshold value to provide a difference;

if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; and

selecting a channel from a channel indicated as available.

14. (Original) An apparatus as claimed in claim 13, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, wherein said selecting includes selecting a channel at a midpoint within the larger gap.

15. (Original) An apparatus as claimed in claim 13, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

16. (Original) An apparatus as claimed in claim 13, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.

17. (Original) An apparatus, comprising:

an omnidirectional antenna;

a transceiver to couple to said omnidirectional antenna; and

a baseband processor to couple to said transceiver; wherein said baseband processor is capable of dynamically selecting a frequency on which to communicate via said transceiver on a wireless local area network by:

scanning available channels;

measuring a received signal power level for the channels scanned in said scanning;

comparing the measured received signal power level to a threshold value to provide a difference;

if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; and

selecting a channel from a channel indicated as available.

18. (Original) An apparatus as claimed in claim 17, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, wherein said selecting includes selecting a channel at a midpoint within the larger gap.

19. (Original) An apparatus as claimed in claim 17, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

20. (Original) An apparatus as claimed in claim 17, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.